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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,722	07/31/2003	David Alcoe	EI-2-03-008	9362

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EXAMINER

NGUYEN, VINH P

ART UNIT	PAPER NUMBER
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2829

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/630,722

Applicant(s)

ALCOE, DAVID

Examiner

VINH P. NGUYEN

Art Unit

2829

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 37-50 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 37-50 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 37-40,42-45,48-50 are rejected under 35 U.S.C. 102(b) as being anticipated by over Barabi (Pat # 6,046,597).

As to claims 37, Barabi discloses a test socket for an IC device as shown in figure # 1 having “a compressible housing (23-24,27,19) for having an electronic component (13) with a plurality of conductive members (30) compressively positioned therein, a cover (19), a base member (17) with a plurality of probes (29,52,63,51) positioned therein and a compressible member (37) for being positioned between the base (23) and the cover (19) and between cover and electronic component (13), and a structure (human operator) for bringing the compressible housing and the base member together such that selected ones of the compressible probes ((29,52,51,63) engage respective ones of the electrically conductive members (30) of the electronic component (13). Barabi discloses that the base member (17) of Barabi has openings (67,68) in which the alignment member (65) passes through. Therefore, this base member has an upstanding alignment member.(65).

As to claim 38, the base (23) defines an opening (27) for housing the electronic component.

As to claim 39, the base includes a plurality of apertures (through holes) adapted for the probes (29,52,63,51) passing through in order to engage the conductive members (30) of the electronic component (13).

As to claim 40, Barabi discloses a lock member (41) movably positioned within the cover (19).

As to claim 42, Barabi discloses the compressible member is made of plastic material, therefore this compressible member is a compliant pad.

As to claim 43, the alignment member (65) includes an adjustable member (a cut on top surface of the screw) for adjusting the positional relationship between the compressible member (37) and the base member (17).

As to claim 44, Barabi also discloses a conductive substrate (15) with a plurality of conductive pads (32) thereon and the base member (17) is positioned on the conductive substrate such that the compressible probes (29,52,51,63) electrically engage the conductive pads.

As to claim 45, the substrate (15) of Barabi is a printed circuit board.

As to claims 48-50, the apparatus of Barabi as mentioned above is used for performing the method steps.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 41 and 46-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barabi (Pat # 6,046,597) in view of Ramos et al (pat # 6,377,062) and Higgins (Pat # 6,037,785).

As to claim 41, Barabi does not disclose the lock member is a rotational screw for into the base to provide the lock of the cover onto the base.

Higgins discloses a probing apparatus using screws (162) as shown in figures 3 and 8 for fastening purpose.

It would have been obvious for one of ordinary skill in the art to use the screw as taught by Higgins in the device of Barabi in place of the lock member (41) for locking the cover onto the base since this is an alternative way to lock both cover and base together.

As to claims 46-47, Barabi discloses a test socket for an IC device as mentioned in previous paragraph # 2. Barabi does not teach pneumatically driven member structure for engaging and exerting a force on the cover .

Ramos et al teach that it would have been well known to use a pneumatically driven member structure (80,82) for engaging and exerting a force on a cover (28) as shown in figure # 1.

It would have been obvious for one of ordinary skill in the art to provide the pneumatically driven member structure (80,82) as taught by Ramos et al to the device of Barabi

so that a force is applied to the cover and the housing in order to bring the device under test into contact with the probes and this is an alternative way to apply a force. It is noted that the driven member includes a piston (80).

5. Applicant's arguments filed on 11/02/05 have been fully considered but they are not persuasive.

Applicants argue that Barabi does not teach or suggest excessive force prevention .

It appears that the combination of Barabi meet the structure of the claims and the device of Barabi is able to prohibit excessive force application onto the electrically conductive members of the component under test by the compressible probes (29,52,63,51) in order to maintain the electrically conductive members of the component under in good shapes during testing without destroying them . Finally, it appears that Applicants' remarks are more in details than the claim language.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VINH P. NGUYEN whose telephone number is 571-272-1964. The examiner can normally be reached on 6:30AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WAEL FAHMY can be reached on 571-272-1705. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


VINH P NGUYEN
Primary Examiner
Art Unit 2829
05/26/06